

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

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U.S. DISTRICT COURT
MID. DIST. TENN.

TENNESSEE INSURANCE GUARANTY
ASSOCIATION,

Plaintiff,

v.

PENGUIN RANDOM HOUSE, LLC, and
PEARSON EDUCATION, INC.

Defendants.

Case No. 17-689-IV

Removed from the Chancery
Court for the State of Tennessee
Twentieth Judicial District,
Davidson County

JOINT NOTICE OF REMOVAL

The Defendants, Pearson Education, Inc., ("Pearson") and Penguin Random House, LLC ("PRH") (collectively the "Defendants"), by and through counsel, and under the authority of 28 USCA § 1446, file this Notice to Remove to this Court an action currently pending in the Chancery Court for Davidson County, Tennessee and designated Docket No. 17-689-IV. In support of this Notice, Defendants would show this Court as follows:

- 1) The Plaintiff, Tennessee Insurance Guaranty Association ("TIGA"), initiated this action by filing its Complaint against the Defendants in the Chancery Court for Davidson County, Tennessee on July 5, 2017.
- 2) PHR was served with the Summons and Complaint on or about July 10, 2017.
- 3) Pearson was served with the Summons and Complaint on or about July 7, 2017.
- 4) Pursuant to 28 USCA § 1446(a), a copy of all process, pleadings, and Orders served upon Pearson is attached as **Exhibit A** to this Notice and incorporated by reference.

5) The Complaint seeks a Declaratory Judgment and recovery of amounts paid to or on behalf of Ms. Carol Rediker for workers' compensation benefits related to a work injury suffered by Ms. Rediker on August 31, 2000 in an amount in excess of \$155,712.70.

6) The time period within which the Defendants are required to file this Notice under 28 USCA § 1446 has not expired.

7) TIGA's action is civil in nature, and this Court has original jurisdiction over Plaintiff's action under the provisions of 28 USCA § 1332. Specifically, this action involves citizens from different states and the amount in controversy exceeds the sum of \$75,000.00. Therefore, this action arises under federal law and this Court has original jurisdiction.

8) TIGA is an independent unincorporated association created by statute at Tenn. Code. Ann. § 56-12-101 et seq. and has its principal place of business in Davidson County, Tennessee.

9) Pearson is incorporated under the laws of the State of Delaware and has its principal office at 330 Hudson Street, New York, New York 10013-1046, and is therefore a citizen of both Delaware and New York.

10) PHR is incorporated under the laws of the State of Delaware with a principal office at 1745 Broadway, New York, New York 10019-4640 and is therefore a citizen of New York and Delaware.

11) Pursuant to 28 USCA § 1446(d), Defendants are, contemporaneous with the filing of this Notice, providing the Clerk for the Chancery Court for Davidson County, a copy of this Notice.

12) The allegations of this Notice are true and correct to the best of the Defendants' knowledge and within the jurisdiction of the United States District Court for the Middle District

of Tennessee, and this cause of action is removable to the United States District Court for the Middle District of Tennessee.

WHEREFORE, the Defendants file this Notice for the purposes of removing this action from the Chancery Court for Davidson County, Tennessee, to the United States District Court for the Middle District of Tennessee.

Respectfully submitted,

MOORE INGRAM JOHNSON & STEELE, LLP



Alex B. Morrison, BPR No. 28096

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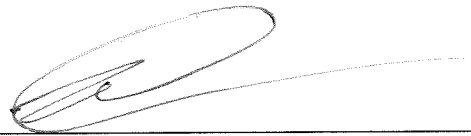
CERTIFICATE OF SERVICE

The undersigned attorney does hereby certify that a true and correct copy of the foregoing Notice was duly served upon the following attorneys by mailing a copy of the same via First Class U.S. Mail, postage pre-paid, addressed as follows:

William D. Leader
Steven A. Nieters
Leader, Bulso & Nolan, PLC
Attorneys for Plaintiff
414 Union Street, Suite 1740
Nashville, TN 37214

Maria M. Salas
Clerk & Master
Chancery Court of Davidson County, Tennessee
1 Public Square, Suite 308
Nashville, TN 37201

This is the 19th day of July, 2017.



Brent R. Laman